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Death is not Justice

Capital punishment has been misused by the legal system for thousands of people. One of those victims was Herbert Richardson, a black veteran who experienced post-traumatic stress disorder who set off a small bomb and accidentally killed a child. His lawyer Bryan Stevenson argued that Richardson had no intention to kill the young child. But the all-white jury in charge of Richardson's case still convicted him since they did not present evidence that "the death penalty should not be imposed because of Herbert's trauma, military service, and childhood difficulties" (Stevenson 52). Unfortunately, Herbert spent eleven years before being sent to the death chamber in 1989. Besides Richardson, there are hundreds of people waiting for their execution; many of those stories are included in Bryan Stevenson's *Just Mercy*, a book that exposes the system's vulnerability. Although capital punishment might honor the dignity of the humans whose lives ended, the United States should abolish the death penalty because it is not cost-effective, violates the values of life, liberty, and the pursuit of happiness, and it reinforces racial injustice in this country.

There are many ways that we can use the money that funds capital punishment, including "schools, healthcare, [and] restorative justice programs," according to Kamala Harris, JD and Vice President of the United States of America (Harris). An average death penalty case can be twice as much as comparable non-death penalty cases (Equal Justice USA). For perspective, an average non-death penalty sentence can cost almost a million dollars per case. Multiplying all

these numbers together would be in the billions, considering how large the prison population is—having a life sentence with parole would cost about half as much. It would give the prisoner a second chance. Think of all the money that could go into rehabilitation instead of punishment. Having the death penalty reduces the funds available for crime prevention and other resources. If the United States were to abolish capital punishment, there would be a lot more material to help those in need, including potentially at-risk children who might end up in jail. Funding capital punishment will only lead to a never-ending genocidal loop, so it is best to stop it now.

In our *Declaration of Independence*, the founding fathers define the three unalienable rights as “life, liberty, and the pursuit of happiness” (Jefferson). Capital punishment violates at least one of these rights by its existence alone. Executing someone for their wrongdoings does not fulfill this promise because it takes away somebody’s right to life. Liberty, according to this type of punishment, depends on the perspective. Still, in the eyes of the criminal, it is violating their liberty by staying in confinement for years for dying within the state’s hands. Although the person on death row might have done the same to others, having the judicial system control the human body is not natural. Liberty-appreciating people of today still hold these values to heart. One such example would be Jared Olsen, a Republican member of the Wyoming House of Representatives. He noted that “[capital punishment] inflicts extreme and unnecessary trauma on the family members of victims and the correctional employees who have the job of taking the prisoner’s life” (Olsen). The last right, the pursuit of happiness, is violated throughout the process, from incarceration to the final moments. This does not just affect the prisoner themselves but also the rest of the people around them. Seeing our loved ones at their worst without an opportunity for change shatters our mental health, so why would we execute those who need help the most?

The death penalty also reinforces the racial injustice within the United States. A person of color is three times more likely to be executed than a white for the same crime, especially if the victim was white (Beckett). Studies from various states have noted that black defendants with white victims are far more likely to be recommended for capital punishment and executed than a white defendant who killed a black victim. This coincides with the “nation’s dark history of lynching and slavery,” where people of color were maltreated because of the color of their skin (Bush). For another minority to be killed with the government’s hands is another reason the black and brown communities fear for their lives. Especially if a minority slips up, the courts will not take them as seriously as a white defendant because of the stigma associated with their ethnicity. Right now, there is no mercy, according to Cori Bush, a Democratic US Representative. Building “a fair criminal-legal system on a foundation of mercy, due process, and equity” must be done to solve our legal problems (Bush). Breaking the cycle of capital punishment will benefit black and brown communities and foster support for innocent people on death row. It is for justice and mercy for those who unfair legal systems have oppressed.

Although capital punishment might punish those who have committed unspeakable crimes, not everybody serving their time is guilty. Many defendants have committed heinous crimes, such as Timothy McVeigh and John Wayne Gacy, who killed 168 and 33 people, respectively. Experts such as Atul Gawande, an Associate Professor of Surgery at Harvard Medical School, have argued that these types of people “deserve to die” for their crimes (Gawande). However, these people are small in number and would fare better in a life sentence, where defendants would have to think about the consequences of their actions. Killing them off is a quick solution, but it only wastes resources that could solve other criminal justice problems. However, not everybody sitting on death row is a serial killer or domestic terrorist; some are

there because eyewitnesses have falsely accused them of crimes they did not commit.

Unfortunately, the system is not perfect; about three percent of defendants sentenced to death between 1982 and 1989 were acquitted because of substantial DNA evidence against their guilt. There are probably even more people innocently standing on death row because of poor representation and racial injustice. The Proceedings of the National Academy of Sciences estimates that around four percent are innocent (Gross et al.), which means that one in every twenty people sitting on death row is harmless and should not be there. They might have been there because of reasons such as “eyewitness errors, poor legal representation, racial prejudice, prosecutorial misconduct, the presentation of erroneous evidence, false confession, junk science, and reliance on unreliable jailhouse snitches” (Witness to Innocence). Wasting many resources on a system that does not work every time is bound to kill people who do not deserve to die. Errors in capital punishment are not going to solve the original crime or bring back any victims. For another unfortunate person to die within the hands of the justice system would be an injustice.

Not everyone in jail is a monster, and we are also humans. We are better than our worst mistakes, and change is always possible; the death penalty does not give us a second chance. People such as Herbert Richardson should have had another opportunity because they did not have malicious intentions. Those who do not wish harm on others are stable enough to participate in society, including many people awaiting capital punishment. For other well-meaning people who were on death row, other biases might have landed them in jail. One might question the significance of abolishing the death penalty, but the wrong circumstances place someone within the right-violating chambers, commonly known as prison. Not everybody has the privilege to escape execution if they are genuinely innocent, but those who are guilty

should be forced to deal with their decisions for the rest of their lives. Every criminal case is different, as treating everybody as guilty will only reinforce the amount of punishment people get. If we do not stop the death penalty now, we are heading down the route of finding new excuses to kill people. If so, would you want to keep a system that injustices innocent people for things they did not do?

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